

MAR 19 2021

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

US DISTRICT COURT  
WESTERN DISTRICT OF NC

DOCKET NO.: 5:20cr75

UNITED STATES OF AMERICA	)	
	)	
v.	)	CONSENT ORDER AND
	)	JUDGMENT OF FORFEITURE
(2) MICHAEL DWANE WILLIAMS	)	

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 18 U.S.C. § 924 and/or 28 U.S.C. § 2461(c), provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

**One BPM Incorporated, model BPI 5, multi-caliber rifle seized on or about November 26, 2019 during the investigation;**

**One Beretta, model 1201, 12-gauge shotgun seized on or about November 27, 2019 during the investigation;**

**One Bushmaster, model XM15-E2S, .223-5.56mm rifle and one Springfield, model XD-9, 9mm pistol seized on or about December 3, 2019 during the investigation;**

**One Smith and Wesson, model 1006, 10 mm pistol seized on or about January 8, 2020 during the investigation;**

**One Taurus, model PTI 11 G2, 9mm pistol seized on or about February 19, 2020 during the investigation;**

**One Kel-Tec, model Sub2000, 9mm rifle and one Windham Weaponry, model WW-15, 5.56 caliber rifle seized on or about February 26, 2020 during the investigation;**

**One American Tactical Imports (ATI), model Omni Hybrid, multi-caliber rifle seized on or about March 2, 2020 during the investigation;**

**One Norinco, 7.62x39 caliber rifle and one Glock, model 42, .380 caliber pistol seized on or about March 19, 2020 during the investigation;**

**One Taurus, model G2C, 9mm pistol seized on or about May 4, 2020 during the investigation;**

**One Smith and Wesson, model M&P, .40 caliber pistol seized on or about June 19, 2020 during the investigation;**

**One Glock, model 33, .357 caliber pistol, one Taurus, model PT 24/7 pro, .40 caliber pistol, and one Ruger, model LC9, 9mm pistol seized on or about June 25, 2020 during the investigation;**

**One Taurus, model Judge, 45/410 caliber revolver seized on or about June 30, 2020 during the investigation;**

**One Taurus, model G2C, .40 caliber pistol seized on or about July 24, 2020 during the investigation.**

2. The United States Marshals Service, the investigative agency, and/or the agency contractor is authorized to take possession and maintain custody of the above specific asset(s).

3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

4. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.


5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

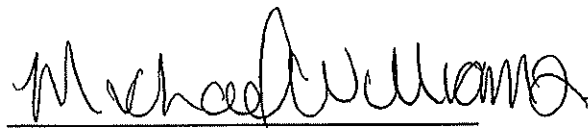
6. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of Defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. § 924 and/or 28 U.S.C. § 2461(c). The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment.

against Defendant. If the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so. As to any firearms listed above and/or in the charging instrument, Defendant consents to destruction by federal, state, or local law enforcement authorities upon such legal process as they, in their sole discretion deem to legally sufficient, and waives any and all right to further notice of such process or such destruction.

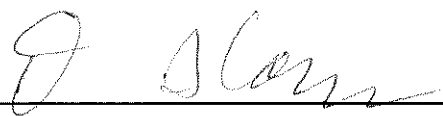
WILLIAM T. STETZER  
ACTING UNITED STATES ATTORNEY

  
CHRISTOPHER S. HESS  
Assistant United States Attorney

  
MICHAEL DWANE WILLIAMS  
Defendant

  
RICHARD TOMBERLIN, ESQ.  
Attorney for Defendant

Signed this the 19 day of March, 2021.

  
UNITED STATES Magistrate JUDGE